

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

KEVIN EMHOFF, Plaintiff, vs. BNSF RAILWAY COMPANY, a Delaware corporation, Defendant.	No. CV 22-04-GF-BMM ORDER GRANTING DEFENDANT’S UNOPPOSED MOTIONS <i>IN LIMINE</i> OR, IN THE ALTERNATIVE, FOR PRELIMINARY EVIDENTIARY RULING
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The Court, having reviewed Defendant BNSF’s Unopposed Motions *in Limine* or, In the Alternative, For Preliminary Evidentiary Ruling, and good cause appearing therefor, it is ordered that the following Motions *in Limine* are hereby

GRANTED:

1. Argument BNSF was required to provide other lawsuits or claims against BNSF;
2. The financial standing of BNSF or Berkshire Hathaway;
3. “Sending a message” to BNSF;
4. Argument or contention that the railroad industry generally is “dangerous” or unsafe, and other statements or arguments intended to inflame the jury;
5. That BNSF was sanctioned in other cases;

6. Golden rule or “reptile” type arguments;
7. Evidence or argument related to unrecoverable damages;
8. Evidence or argument related to Plaintiff’s paid medical and hospital bills and expenses;
9. Evidence or argument regarding any discovery disputes, motions in limine and the court’s ruling on the same;
10. Testimony, evidence, or argument that BNSF’s railyards generally contain poor walking conditions;
11. The number of law firms or attorneys representing BNSF;
12. Expert reports and curriculum vitae;
13. Sequester witnesses not currently testifying;
14. Evidence or testimony that BNSF was required to report Plaintiff’s reported injury to the FRA.

DATED this 17th day of May, 2023.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court